

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LIN KWOK KEUNG,

Plaintiff,

-v-

SAINT ANNA HOUSE BAKERY, INC. *d/b/a* MANNA
HOUSE BAKERY, *et al.*,

Defendants.
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21 Civ. 6684 (PAE) (JLC)

ORDER OF DISMISSAL

PAUL A. ENGELMAYER, District Judge:

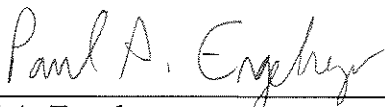
On August 8, 2021, plaintiff filed the complaint in this action. Dkt. 1. On September 13, 2021, service of process was executed on defendants. *See* Dkts. 8–9. Defendants’ answers were due on October 4, 2021. Defendants have not appeared in this action or otherwise responded to the complaint.

On October 28, 2021, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. Dkt. 10. The Court’s October 28 order advised that cause may be shown by properly requesting a certificate of default from the Clerk of Court, and, by November 8, 2021, filing a motion for default judgment with the Court. *Id.* The Court subsequently extended plaintiff’s deadline to show cause to December 8, 2021, and then to January 7, 2021. Dkts. 12, 14. Plaintiff has not requested a certificate of default, filed a motion for default judgment, or otherwise taken any action to make any progress in this case since the Court’s order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: March 31, 2022
New York, New York